Case 1:08-cv-01542

U.S. Department of Justice United States Marshals Service

Document 13 Filed 06/04/2008 Page 1 of 3 PROCESS RECEIPT AND RETURN See Instructions for "Service of Process by the U.S. Marshal"

on the reverse of this form.

DEFENDANT DEFENDANT TYPE OF PROCESS FILE MECHAGELEK, et al. NAME OF INDIVIDUAL COMMANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROCERTY TO SEIZE OR CONDEMN Day of Mansfield, Correctional Counselor, (N.R.C.) Stateville C.C. ADDRESS SERVE OR FID. Apartment No., City, Seas and APP Cool SCC, CIO K. Sandlin, Legal Dept. P.O. Box 112, Joliet, IL 60434 SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS RELOW: Jornatine Walker, #852757 Hill Correction Center P.O. Box 1700 Galesburg, IL 61401 SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses, All Day on the Command of Times Available For Service): SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses, All Day on the Command of Times Available For Service): SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses, All Day on the Command of Times Available For Service): SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses, All Day on the Command of Times Available For Service): SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses, All Day on the Command of Times Available For Service): SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE Observe and Alternate Addresses and Alternate Addresses, All Day on the Command of Discovery of Observe and Alternate Addresses described to Serve and Alternate Addresses and Alternate Addresses and Alternate Addresses described and Addresses and Alternate	PLAINTIFF -							COURT CASE NUMB	SER.	
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SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: JOYNSAINE WAIKER, #852757 Hill Correction Center P.O. Box 1700 Galesburg, IL 61401 Galesburg, IL							R.C) St	ateville C.C.	•	
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Form AO-399 (Rev. 05/00)

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

(DISTRICT)

Waiver of Service of Summons

TO: Jermaine Walker	
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)	
•	
I, David Mansfield, Correctional Counselor	acknowledge receipt of your request that I waive
(DEFENDANT NAMÉ)	
service of summons in the action of Jermaine Walker vs	s. Eric Michaelek, et al.
(CAPTION OF ACTION)	
which is case number 08C1542	in the United States District Court for the
(DOCKET NUMBER)	
Northern District of Illinois	•
(DISTRICT)	
I have also received a copy of the complaint in the accan return the signed waiver to you without cost to me.	tion, two copies of this instrument, and a means by which I
	nn additional copy of the complaint in this lawsuit by not g) be served with judicial process in the manner provided by
Ruiv 7.	Section Company to the second
I (or the entity on whose behalf I am acting) will retain jurisdiction or venue of the court except for objections b summons.	
I understand that a judgment may be entered against a motion under Rule 12 is not served upon you within 60 c	me (or the party on whose behalf I am acting) if an answer or lays after May 07, 2008 (DATE REQUEST WAS SENT)
or within 90 days after that date if the request was sent o	
	Wensfield GENATURE
DATE	SIGNATURE
Printed/Typed Name:	
As of	
TITLE CORPORATE DE	EFENDANT

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown to its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, of that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the enswer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

RETURN OF SERVICE							
Service of the Summons and Complaint	was made by me:^	me:^ DATE 5/20/08					
NAME OF SERVER (Print) Kathy Sandlin		5/20/08 TITLE Lit. Coord.					
Check one box below to indicate appropriate n	nethod of service:						
New Served personally upon the defendant. Place where served: 16830 South RESS, Crest H:11 TC							
[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:							
[] Returned unexecuted:	[] Returned unexecuted:						
[] Other (specify):							
		,, , , , , , , , , , , , , , , , , , ,					
STATEMENT OF SERVICE FEES							
TRAVEL	SERVICES	TOTAL					
	DECLARATIO	ON OF SERVER					
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.							
Executed on							
Date	pign	ature of Server					
	Add	ress of Server					

[^]As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.